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FILED
OCT 24 2006
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 05-1612

In The
Supreme Court of the United States

LATANUA RUDD,

Petitioner,

v.

SHELBY COUNTY, TENNESSEE,

Respondent,

PETITION FOR REHEARING

Latanua Rudd
10958 East 61st Street, Apt #2222
Tulsa, Oklahoma 74133
(901)238-6606 –hm.
(918)249-8564-fax

Counsel for Petitioner (PRO-SE)

Petition For Rehearing

I was actively employed with Shelby County Government (Sheriff Department) from 1997 to 2000. This was a career I dearly loved and pursued for (7) years.

I reported to duty December 22, 2000 and my life was changed forever.

I am still under medical care and I must move on with my life and bring closure to such continuous pain, degradation, shame and embarrassment among my fellow peers.

I do not have case laws but I come to you with (TRUTH), a strong reputation of good character while employed with the Shelby County Sheriff's Department and determination to stand and fight for what is right!

I am representing myself in this matter now because the legal counsel feels this is a dead case with no possible way of resurrecting it without giving me an explanation from the Supreme Court. Because of their unbelief, they have made the decision to no longer represent me in this case. I was notified of this decision on 10/10/06 via telephone.

I am respectfully calling on the ***United States Supreme Court,*** who believes in Law and Justice to lend your ears once more to rehear this case and look once again at other omitted evidence not previously mentioned in the petition. This is one of many evidences not mentioned in the petition previously filed which proves that the Shelby County Sheriff's Department **did not act in good faith.** They have tried to cover their negligence through out this entire time even up to this point. It's the same evidence that convinced a group of Jurors, (all being of sound mind) of facts and truth. All information can be verified through case documents in The District Courts.

Other substantial grounds not previously mentioned:

Grounds: A brief summary on the above case.

(A). There was another subsequent incident happened to me while employed as a Shelby County Deputy Sheriff subsequent to the initial incident. I had to take off work due to my being sick both mentally and physically. I was waiting for my employers to make a decision as to what they were going to do about Sgt. Burton (initial incident). I had made several phone calls to the

internal affairs which at the time no one wanted to talk to me because of this incident. Detective Sneed (IAB) advised me of this reason. I started calling the dispatcher to find out the where about of another co-worker / friend Carl Harrison so that I could tell someone about the incident and to get advice. While listening to the dispatching of different calls I recognized the voice of Clarence Turks (a sibling friend from their child hood) I ask the dispatcher give him my phone number and ask him to call me. Officer Turks called me. I asked him if Carl Harrison was working that day. Turks said He (Harrison) was off duty. Turks then started telling me that he (Turks) heard about the Burton incident and asked if he (Turks) could come to my home to make sure that I was ok. I told him that was fine (he could) He asked me for my address because he had never been to my home. He called me very early one morning at which time I gave him my address allowed him to visit me. Turks started out by asking me "if I was ok"? This visit then led to him attempting to sexually assault me in my home. I fought him off and demanded him to leave my home. The First incident had already happened and now this second incident from both male co-workers whiles they were both on duty. Turks knew my siblings; they all grew up together in the same neighborhood. Turks (who is still employed with s.c.s.o.) would often refer to me as his little sister and would tell other superiors that he had to watch over me. This is why I trusted Him to visit my home. I had to give a statement to The Memphis City Police Sex Crimes. As I recall, there was a detective Bennet who took the statement. Detective Bennet advised me, that because of the first incident having already happened and this being such a high profile incident nothing could be done.

I went to the F.B.I.; they took a statement from me concerning both officers. I had no legal counsel at the time and I just didn't want the Shelby County Government to ignore these incidents. This information can be verified and is evidence of Shelby County not acting in good faith. This has been a pattern in the Department's history. **See the local news paper article attached.** Shelby County's very own Sheriff himself has charges of similar nature. This also proves this pattern has been previously known and continues within Shelby County.

(B). In addition to information, Lt. Alvin Moore called a meeting one day and advised me to keep quiet concerning the first incident or their would be ramification towards me during my career if I sought legal assistance. Which **He did not deny** saying during his deposition. Sgt Carroll Owens was also

present in this meeting. This incident can also be proven in case notes. **This was not acting in good faith.**

(C). I was also terminated via- U.S. mail by Mrs. Janet Bates (Shelby County Management) and refused unemployment which caused me to get on the food stamp program temporarily until I could find employment through unemployment agencies which was unloading large tractor-trailers at a Jewish Community Center and later working at The Rally Burger fast food. This information can be proven in case notes. **This was not acting in good faith.**

(D). I was told by my Physician Dan Boyd and Counselor Cindy Wescott that Shelby County had made several calls in and attempt to get me fully released from medical care and return to work full duty. **This was not acting in good faith.** Due to another **(independent)** Doctor Neal Aronov, who gave a 2nd and 3rd opinion of my medical status, stating to them **"that he did not think that was a good idea and that would be against medical orders"**, I was allowed to continue medical care. This report is noted in case notes.

(E). In addition to information above, the investigation was **only initiated** concerning the first incident involving Sgt. Burton because of my calling another friend / co-worker Sgt. Roberson (patrol division) who I had previously worked for (In Patrol Div.) and who knew of my work ethics. Sgt. Roberson was off duty. I told him what had happened and he sensed how upset I was with the first incident because I was crying. I asked him to contact someone for me to at least get a report done. He informed me that Shelby County was attempting to procrastinate in order to intentionally exclude the initial incident report. Also if a report was not done within a certain time frame, that whatever disciplinary action handed down to Sgt. Burton, he could appeal it through civil service and get re-instated. This is exactly what happened. He appealed the demotion and was allowed to retire with full Retirement status and pay because there was no incident report taken. **This was not acting in good faith**.

(F). Also after the Incident with Burton inside the Fugitive office. He (Burton) was only moved to the building next door (civil field office) which is the same office with (Clarence Turks) the co-worker that initiated the 2nd incident.

(G). When this (1st) incident went before the federal E.E.O.C. Board members, in their opinion Shelby County Supervisor(Burton) should not have allowed himself to be in a situation for such charges. After they conducted their investigation, they ruled in my favor. A few days later Shelby County completely stopped my income and all benefits without explanation. **This was not acting in good faith.** A few days later I was terminated by way of US. Mail. During the trial Shelby County (Janet Bates) initially stated she did not recall mailing the letter to my home. When Legal counsel attempted to show proof of the termination letter, she somehow suddenly remembered. According to Dr. Aronov this was not the correct action for Shelby County in any attempts to help the situation. **This was not acting in good faith.**

(H). Counselor Cindy Wescott who worked with me for years, allowed me to come into her office and work a few days to make a little cash so that I buy food after they refused my unemployment benefits before food stamps were approved. **This was not Shelby County acting in good faith.**

(I). Shelby County also testified that If I should go to work anywhere or for any company that my pension and benefits will instantly stop. Even if it were a part-time Job to supplement my income, Due to this situation that they have caused, I have had to constantly borrow money from everywhere and everybody so I can just to be able to live. This has been a constant (six year struggle) I had to drop out of a local University while trying to better my life because of the expense of books. Because I am now age 39 , I have not qualified for any decent amount of student loans or grants that I have applied for due to my pension. Shelby County provides College reimbursement which I once had and other co-workers are afforded.

In conclusion: There is something that the Federal E.E.O.C. saw that you respectfully need to see which influenced them in their decision. There is information that the (Independent) Medical professional saw in this case, that you may respectfully need to see. I am speaking of Dr. Aronov who played a major part in my receiving a pension monthly to live on. This was not Shelby County's idea. There is much evidence in this case that proves over and over that Shelby County tried to cover and hide their negligence. There's a host of information that the Federal Jurors heard and saw that you would have to respectfully look into to see how they could reach their ruling. There's only one way for you to hear Shelby County witnesses over and over admitting to guilt and negligence and lies after being less than truthful

during depositions. That is to listen to the proof, facts, evidences and testimonies that convinced a reasonable Jury. In Law Enforcement we were trained to protect and serve especially our own. We were taught to report truth and facts. We were also constantly taught to adhere to rules and follow Laws of the State and Government. The Laws were never written to be ignored or broken. There are consequences to our actions when we break Laws and ignore policies. My Shelby County work File is and has always been clean. My work ethics have always been none less than professional, (can be proven in case notes). Because of these incidents I have been force to live in a place of life where there has been a constant struggle for the last six years only because I reported truth and facts and adhered to written laws and Shelby County's own policies. Truth is meant to be stood on and upheld in the face of all odds. This same Truth is what I stand on today and shall continue until I see it through to the end.

I am now asking each one of you to close your eyes for a moment and imagine if I were your youngest sister, daughter or spouse.... Would you want the whole truth to be heard and prevail in this matter?

I have a petition with 3000+1 signatures in reference to my case. (available upon request)

Respectfully submitted

Latanua Rudd

See: Exhibit #1. This is a copy of a formal incident report that was found in my personnel file (one) year later. This was discovered during the deposition. **There is no officer's name on the form that completed the report**. There is **not a signature** on it where I was to sign. The reason is because **(no formal report was done). This form was back dated to cover their negligence.** Had Shelby County taken a report then Sgt. Burton would not have had grounds for the appeal through the civil service. Therefore He would not have been promoted back to Sgt. and then full retirement. This is addition evidence to prove that Shelby County **did not act in good faith.** In deposition you will see where I questioned the defense counsel about this form.

See: Exhibit #2. This is a copy of the **very first** investigative report that was done by Shelby County dated **January 3,2001. This is the first time that anyone from Shelby County allowed me to sit down and questioned me concerning the incident.** Lt. Bonner, who my friend contacted for me, **called me (over the phone)** and asked me **why was no report done in that department.** He said he was on vacation and asked me to write down what happened and stick it under his door. He also said when he returned from vacation he would tend to the matter. Information can be verified.

See: Exhibit #3. This is a copy of the **second time** Shelby County questioned me. This was because of the prisoner belly chains, which, I can't remember still even to this day. The supervisors reported this incident when Internal Affairs questioned them following my initial report on **January 11,2001. Which also proves that Shelby County did not act in good faith.** They witnessed this (I don't remember).

See: Exhibit #4. A copy of my first day pay **at Rally Burger**. Dated 11-01-01.

See: Exhibit #5. A copy of proof of my **previous work ethics** and good reputation among my former peers. A Sgt. F. Jackson asked me if I would be interested in coming to the Shelby County Narcotics Division. He asked me to submit a letter to Inspector Wing. The request transfer date is **(12-23-00).** This whole incident ended my career in Law Enforcement, which was all I ever really knew. I never made it to the Narcotics Division.

See: Exhibit #6. A copy of the letter that initiated the Retirement Pension. Because of this 2nd opinion and decision from Dr.Aronov. (Independent decision)

See: Exhibit #7. A copy of a letter from the federal E.E.O.C. to prove that Shelby County attempting to avoid charging Sgt Burton. Shelby County had to be forced by outside agencies to discipline him at all. With Shelby County allowing **such time to expire before writing any official report** *(which was never done)* caused Sgt. Burton to be rewarded instead of disciplined. This is also additional proof that Shelby County **did not act in good faith.**

Exhibit 1

SHELBY COUNTY
INJURY/ACCIDENT INVESTIGATION REPORT

MAJOR ☐ MINOR ☒ FIRST AID ☐ INJURY NO.

NAME: Patrolwoman LATANYA Rudd S.S. NO. 409-47-6606 9/26/68 OCCUPATION: Deputy Sheriff
FOREMAN DEPT. UNIT

DATE INJURED: 12-22-2000 TIME: 9 AM PM DATE REPORTED: 12-23-00 TIME: 9 AM PM

NATURE OF INJURY (BRUISE, ABRASION, CONTUSION, BURN, FRACTURE, ETC.): TRAUMATIC INCIDENT

RETURNED TO WORK ☒ SENT TO DOCTOR ☐ SENT TO HOSPITAL ☐ SENT HOME ☐

LOCATION OF ACCIDENT (IN OR NEAR WHAT BUILDING, STREET, ROAD): 201 POPLAR AVE FUGITIVE OFFICE

WITNESSES: Pilcon MAYES, BARNELL, Pilcon REED

DESCRIPTION OF ACCIDENT (GIVE FULL DETAILS): Pilcon RUDD WAS VICTIMIZED BY ANOTHER EMPLOYEE TO THE POINT IT BECAME A SPECIFIC TRAUMATIC INCIDENT - AS A RESULT OFFICER RUDD HAS FOUND IT DIFFICULT TO RETURN TO WORK BECAUSE OF THE MENTAL ANGUISH

(CONTINUE ON BACK OF SHEET IF NECESSARY)

DESCRIBE DAMAGE TO MATERIAL OR EQUIPMENT AND ESTIMATE COST OF REPAIR OR REPLACEMENT.

N/A

(CONTINUE ON BACK OF SHEET IF NECESSARY)

WHAT HAS BEEN OR WILL BE DONE TO PREVENT SIMILAR INJURIES

TO BE COMPLETED BY IMMEDIATE SUPERVISION

What was the basic cause of the accident? (Select one basic cause, mark with a X - Circle contributing causes)

A.—SUPERVISORY RESPONSIBILITIES
- ☐ No instructions given.
- ☐ Incomplete instructions.
- ☒ Rules, standards or instructions not enforced.
- ☐ Personal safety devices not provided or job. (Goggles, Safety Belts, Masks, Respirators, etc.)
- ☐ Correct or safe tools or equipment not provided.
- ☐ Inadequate inspection of equipment or jobs.
- ☐ Improper method of doing work.
- ☐ Poor job planning.
- ☐ Too much rush.
- ☐ Other

B.—PERSONAL ACTION OR CHARACTERISTIC OF EMPLOYEE
- ☐ Haste or short cuts.
- ☐ Equipment such as jacks, skids, hoists, etc., provided but not used.
- ☐ Goggles, respirators, gloves, masks, etc., provided but not used.
- ☐ Improper or unsafe tool or equipment used.
- ☐ Horseplay or fooling.
- ☐ Instructions or rules disregarded.
- ☐ Inattention.
- ☐ Inexperience.
- ☐ Physical condition of employee.
- ☐ Improper body position.
- ☐ Improper method of doing work.
- ☐ Action of fellow employee.
- ☐ Other N/A

C.—UNSAFE EQUIPMENT OR MATERIALS
- ☐ Ineffectively guarded equipment.
- ☐ Unguarded equipment.
- ☐ Defective materials.
- ☐ Defective tools.
- ☐ Defective equipment (not motor vehicles).
- ☐ Defective motor vehicle equipment.
- ☐ Unsafe equipment or material of contractor, non-employee or customer.
- ☐ Improper type or poor design.
- ☐ Other N/A

D.—UNSAFE CONDITIONS
- ☐ Poor light.
- ☐ Poor ventilation.
- ☐ Bad housekeeping
- ☐ Improper piling or storing.
- ☐ Tools, equipment or materials scattered around.
- ☐ Slippery floors or walkways.
- ☐ Unsafe condition caused by contractor, non-employee or customer.
- ☐ Faulty layout of plant or facilities.
- ☐ Exits or emergency escapes inadequate or not provided.
- ☐ Other N/A

00017

(WITHIN 48 HOURS OF ACCIDENT, FILL IN AND RETURN ORIGINAL TO SAFETY DEPT., SECOND COPY TO PERSONNEL, THIRD COPY TO SUPERVISOR'S FILES)

INVESTIGATED BY _____ DATE _____

FORMS CONTROL C-1972-1-7

Exhibit #2

THE FOLLOWING IS GONNA BE A TAPED STATEMENT FROM PATROLWOMAN LATANUA K. RUDD, S-4735. SHE IS A PATROLWOMAN CURRENTLY ASSIGNED TO THE HOSPITAL PRISON WARD ON BAKER SHIFT. TODAY'S DATE IS GONNA BE JANUARY 3RD, 2000, THE TIME IS 15:47 HOURS. PRESENT WHILE MS. RUDD GIVES HER STATEMENT WILL BE HER UNION REP PRESENT, SGT. CECIL BOOKER OF THE DEPUTY SHERIFF'S ASSOCIATION. TYPED BY L. GARRISON.

LANDRY: Before I take a statement from you Ms. Rudd do you want a copy of your Garrity provided by the union made a part of your official statement?

RUDD: Yes sir.

LANDRY: I'm not gonna read it at this time, but it will be made a part of your official statement.

LANDRY: This statement will be taken in the Internal Affairs Office by myself, Sgt. K. B. Landry, of Internal Affairs. This statement is gonna involve an incident which occurred on December 22nd, 2000, in the Fugitive Office. Is that correct Ms. Rudd?

RUDD: That's correct.

LANDRY: If you would, Mr. Rudd, tell me of the events that took place and be as detailed as you can of what happened on the 22nd in Fugitive that resulted in you writing this letter.

BOOKER: Sgt. Landry, if you would sir, we understand that Deputy Rudd has been called here to make a statement, is that correct?

LANDRY: That's correct.

BOOKER: Is this a statement as a condition of her employment?

LANDRY: It is.

BOOKER: Are there any allegations against Deputy Rudd?

LANDRY: No.

BOOKER: So she's a witness in this investigation?

LANDRY: Correct.

Exhibit #3

THE FOLLOWING IS GOING TO BE A SUPPLEMENT STATEMENT TO PATROLWOMAN LATANUA RUDD, S-4735 STATEMENT. TODAY'S DATE IS JANUARY 11, 2001. THE TIME IS 12:19 P.M. THE STATEMENT WILL BE TAKEN IN THE INTERNAL AFFAIRS OFFICE BY MYSELF, SGT. K. B. LANDRY, OF THE INTERNAL AFFAIRS DIVISION. ALSO PREWENT WHILE MS. RUDD GIVES HER STATEMENT WILL BE PATROLWOMAN MICHELLE SNEED.

LANDRY: Ms. Rudd, at this time you want a union rep present while you give this statement?

RUDD: No sir.

LANDRY: Okay, ah I got a couple a questions I wanta ask you Ms. Rudd since I got you back up here. Ah, about the, I've already taken one statement from you and I've got a couple a follow-up questions. Ah, the first one is gonna be ah on the night of the 22nd, when this incident took place between yourself and Sgt. Burton, ah I wanta ask you if you recall an incident or anything happening while you were in the office talking with Lt. Moore where possibly a chain of some type was involved?

RUDD: No sir.

LANDRY: You don't recall any such incident as that?

RUDD: No, I do not. I don't recall a chain at all.

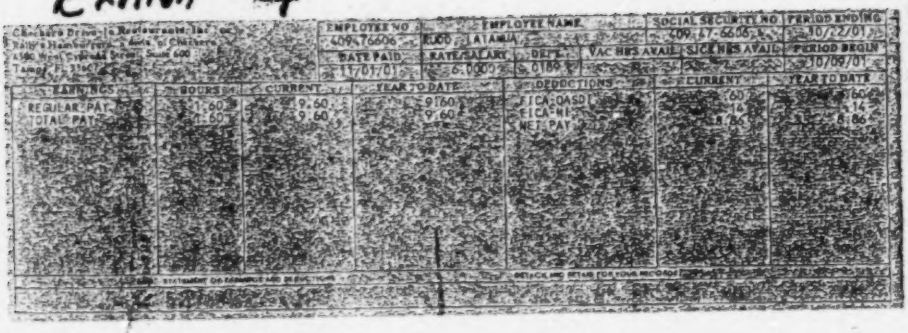
LANDRY: Okay, you don't recall anybody comin up from behind you draping something over you maybe?

RUDD: No, I don't recall it. On that night I was preety upset. I was very angry. I was hurt, frustrated so I'm not saying that it did not happen, I'm just saying as far as me being able to recall it, I simply do not recall it.

LANDRY: Okay, all right, ah let me ask you again to recall exactly what it was that you told Lt. Moore, and when you told Lt. Moore.

RUDD: Okay, after the incident had happened and I had returned from the restroom ah.

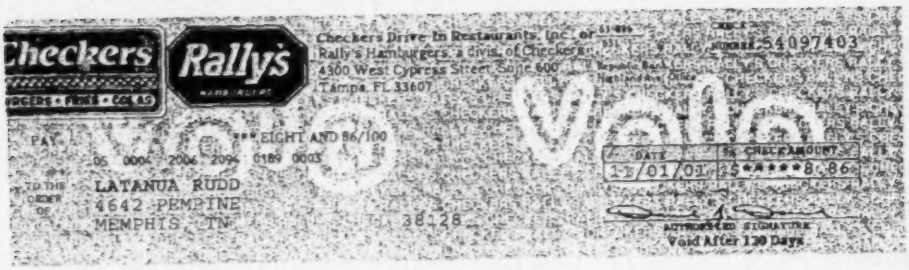
Exhibit #14



EMPLOYEE NO	EMPLOYEE NAME	SOCIAL SECURITY NO	PERIOD ENDING
409476606	RUDD LATANUA	409-47-6606	10/22/01
DATE PAID	RATE/SALARY	DEPT.	VAC HRS AVAIL	SICK HRS AVAIL	PERIOD BEGIN
11/01/01	6.0000	0189			10/09/01

EARNINGS	HOURS	CURRENT	YEAR TO DATE
REGULAR PAY	1.60	9.60	9.60
TOTAL PAY	1.60	9.60	9.60

DEDUCTIONS	CURRENT	YEAR TO DATE
FICA-OASDI	.60	.60
FICA-HI	.14	.14
NET PAY	8.86	8.86



Checkers Rally's

Checkers Drive-In Restaurants, Inc. or
Rally's Hamburgers, a divis. of Checkers
4300 West Cypress Street, Suite 600
Tampa, FL 33607

Republic Bank
Highland Ave. Office

CHECK NUMBER 54097403

PAY *** EIGHT AND 86/100

05 0004 2004 2094 0189 0003

TO THE ORDER OF LATANUA RUDD
4642 PEMPINE
MEMPHIS TN 38128

DATE 11/01/01
CHECK AMOUNT $*****8.86

AUTHORIZED SIGNATURE

Void After 120 Days

VOID

"54097403" :063108868: 0098308232"

Exhibit #5

TO: INSPECTOR WING

FROM: PATLOLWOMAN LATANUA KENNARD RUDD

SUBJECT: REQUEST TO WORK IN THE NARCOTIC DIVISON 12/23/00

To whom it may concern: I'm writing this letter in request to come to the narcotic divison. My request to work in this divison is based upon,
my interest to gain additional experience within the sheriff's department. I sincerely feel that I would be an asset to the narcotic divison.
Please allow me to extend a brief synopsis of my work history.

I've been employed with the shelby county sheriff's department for approximately 3 years, while presently assigned to the patrol divison.

I was previously employed by the city of memphis airport authority as an airport police officer for approximately 2 @1/2 years.

I was employed with shelby county probation divison as a probation officer for approximately 1 @1/2 years.

I was also employed at the shelby county correctional center for approximately 5 years as a correctional officer. In addition I would like to say,
while working there I assisted Lt. Beverly Archer, Capt. John Hall, and Sgt. Mark Dunbar in a lengthy assignment which was very successful
in bringing forth indictments involving several officers.

I was employed with shelby training center as a resident supervisor of juvenile delinquents for approximately 1@1/2 years.

In addition I've worked with the city of memphis police department as a (PST) police service technician for approximately 1@1/2 years.

I've been a volunteer mentor with st.peter home for girls for approximately 6@1/2 years.

IN CLOSING, IF MY REQUEST TO GAIN EXPERIENCE IN THE NARCOTIC DIVISON IS CONSIDERED IT WOULD BE GREATLY APPRECIATED.

SINCERELY

OFFICER LATANUA K. RUDD

Latanua K. Rudd #4335

Exhibit # 6

possible psychologically until her law suit is over and/or settled. When she has to deal with issues related to this suit (e.g. depositions) this is a very emotional experience for her. Ms. Westcott discussed with me her professional assessment, and it is consistent with mine.

Ms. Rudd continues to have Post Traumatic Stress Disorder, but now the Chronic form. Treatment at this point is usually directed at relapse mitigation or prevention rather than full rehabilitation, and I hold out little hope that she will return completely to her level of pre morbid functioning. She most likely can not return to her prior career, nor anything in law enforcement.

Therefore, to a reasonable medical certainty it is my opinion that:

1) Latanua Rudd is permanently impaired with regard to her ability to work in law enforcement. She can not work in Shelby County government in any capacity, and I would be surprised if she were able to work for any governmental department or agency.

2) She does have career interests, and in the future should be able to work in some field sufficiently different from law enforcement (perhaps some job counseling and training may be indicated. I do not recommend she attempt this until her legal case is resolved.

3) Her treatment should continue until she is through with her legal case and has started working again. As I think this treatment would be primarily for maintenance and relapse prevention, the frequency of sessions could probably be reduced to once or twice monthly, unless her condition deteriorates.

Neil E. Aronov, Ph.D.
Clinical Psychologist
TN Lic. 563

Exhibit 7

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Memphis District Office

1407 Union Ave., Suite 621
Memphis, TN 38104
PH: (901) 544-0115
TDD: (901) 544-0112
FAX: (901) 544-0111

Charge No.: 250-A1-0425

Latanua K. Rudd
4642 Pembine Drive
Memphis, Tennessee 38128

Charging Party

and

Shelby County Sheriff's Department
201 Poplar Avenue
Memphis, Tennessee 38103

Respondent

DETERMINATION

I issue the following determination on the merits of this charge.

Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, and timeliness, deferral and all other requirements for coverage have been met.

Charging Party alleges that she was discriminated against because of her sex (female) when she was subjected to a sexually hostile work environment while working in the capacity of Deputy Sheriff.

Respondent contends that the allegations made against the alleged harasser were not chargeable under the department's sexual harassment policy. Respondent also contends that appropriate disciplinary action was taken against the alleged harasser for violating other departmental policies such as unbecoming conduct, truthfulness and the use of force.

Evidence shows that the alleged harasser was in a managerial/supervisory position and should have known not to put himself in the position of being charged with sexual harassment. Therefore, Charging Party's testimony is considered credible.

Based on this analysis, reasonable cause exists in that Charging Party was subjected to a sexually hostile work environment because of her sex.

EXHIBIT
B

E COMMERCIAL APPEAL

ice Wednesday, October 8, 2003

Ex-deputy wins suit charging harassment

By Shirley Downing
downing@gomemphis.com

A federal court jury has awarded $952,000 to a former sheriff's deputy who was handcuffed to an office file cabinet by a male colleague, who touched her in a sexually unwelcome manner and tried to undress her.

Latanua Rudd, now 34, said she was so upset by the December 2000 incident that she has been unable to work.

The male deputy, Sgt. Lance Burton, 60, was demoted and subsequently retired from the Shelby County Sheriff's Office, said County Atty. Brian Kuhn.

Kuhn is reviewing the case to identify possible grounds for appeal or further motions.

The case, which was heard before U.S. Dist. Judge Samuel H. Mays, is one of several harassment or civil rights lawsuits filed in recent years involving the county sheriff's office, jail or nursing home.

See HARASS, A2

From Page A1

Harass

Rudd's attorney Les Jones said Rudd would not comment on Tuesday, the morning after the jury's verdict. The incident has been "quite an ordeal for her," he said.

"This is a very unique case," Jones said. "It is not every day that a patrolman gets handcuffed to a file cabinet by a sergeant."

Latanua Rudd

Lance Burton

Burton could not be reached for comment Tuesday. But after his February 2001 disciplinary hearing, officials said the incident occurred at a Christmas office party where there was "a certain amount of frivolity" and teasing.

The complaint, which does not mention a party, said Burton had confronted Rudd several times after her hiring in 1997 and touched her inappropriately.

Then, in December 2000, she was assigned to the Fugitive Transportation Division in an office near Burton's.

On Dec. 22, she was working in her cubicle when she said Burton came in and grabbed her shoulders and pressed himself against the back of

"Despite her best efforts to protect her weapon and herself, Sgt. Burton handcuffed Ms. Rudd to a filing cabinet inside the cubicle," the lawsuit said.

SUE THE COUNTY

■ **September 1994:** County officials approve a settlement of $3.5 million-plus lifetime medical care for a 25-year-old man who had been in a coma since a 1991 fight with sheriff's deputies.

■ **October 1995:** A $1 million settlement is approved for a county jail inmate beaten and stomped by other inmates.

■ **October 1998:** A female dispatcher wins a $127,000 settlement – $77,000 of it paid by then-sheriff A. C. Gilless – to end a sexual harassment and retaliation lawsuit against Gilless.

■ **April 1998:** The county approves a $250,000 settlement for a jail inmate scarred by a brown recluse spider bite.

■ **January 1999:** Former sheriff's internal affairs director Harold Hays settles a wrongful-termination lawsuit against the county for $650,000.

■ **July 2000:** Jail officials test security in the county's downtown jail by sending in two men with a fake gun. Employees later file a $22 million lawsuit claiming they were traumatized.

■ **March 2001:** Taxpayers pay $27,000 to settle a sexual harassment case against Gilless brought by a female deputy.

■ **December 2002:** A $10 million lawsuit is filed in federal court by Johnnie Cochran's firm against the county-owned Oakville Health Care Center on behalf of Pamela Townsel in the death of Everlina M. Smith, 88, who died at the center in August 2002. The lawsuit is among at least 10 filed in the last three years against the center.

■ **October 2003:** A federal court jury awards a former sheriff's deputy $952,000 in a sexual harassment lawsuit.